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U.S. Patent Application Serial No. 10/802,027
Response to Final OA dated September 19, 2007

DEC 19 2007

REMARKS

Claims 1 and 8 are amended in order to provide an antecedent basis for "the surface" and to more clearly define the claimed invention. Support for the amendments is found at least in FIG. 1. It is respectfully submitted that no new matter is entered. It is believed that this Amendment is fully responsive to the Office Action mailed September 19, 2007.

CLAIM REJECTIONS UNDER 35 U.S.C. § 102:

Claims 1-6 and 8 are rejected under 35 U.S.C. § 102(b) as being anticipated by Stutzman (U.S. Patent No. 5,271,850). Reconsideration and removal of this rejection are respectfully requested.

It is respectfully submitted that the filter unit of Stutzman is being mischaracterized. As best viewed in FIG. 3, flow within the filter is "mainly axially". As taught at column 5, line 26, liquid enters the filter only at top and bottom ends, as indicated by the four directional arrows at the top end and four directional arrows at the bottom end, shown in FIG. 3. Also, liquid exits the filter only at ends which are disposed at horizontal screen (26), as taught at column 5, lines 2-9. It is taught that no liquid flows through jacket (27) or core (24), which cover surfaces of the wrapped filter tissue (21) through which the liquid is filtered. Therefore, only wrapped filter tissue (21) would correspond to the presently claimed "filter element", which is now claimed to have an "inner peripheral surface" and an "outer peripheral surface".

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On page 6 of the Office Action, the Examiner recites that "although the directed flow in Stutzman is along cylindrical surfaces, it is initially towards the lower edge portions of the cylindrical surfaces in the vicinity of the baffle structure". It is respectfully submitted that although some flow may be towards lower edge portions of the cylindrical surfaces of the filter element the liquid does not fall upon (enter) the filter element at such surfaces, as jacket (27) and core (24) are impermeable, as taught at column 5, lines 23-27.

In the present claimed invention the filter element has a substantially cylindrical shape inner peripheral surface and a substantially cylindrical shape outer peripheral surface, a rising flow is directed radially toward the substantially cylindrical shape inner peripheral surface to fall upon the filter element at said cylindrical shape inner peripheral surface.

It is respectfully submitted that the presently claimed invention is distinct from the filter of Stutzman for the reasons discussed above.

In view of the amendment to Claims 1 and 8, and the above remarks, removal of this rejection is respectfully requested.

Claims 10 and 11 are rejected under 35 U.S.C. § 102(b) as being anticipated by Smith et al. (U.S. Patent No. 5,569,373). Reconsideration and removal of the rejection are respectfully requested.

It is respectfully submitted that the filter of Smith et al. is being mischaracterized. As shown in FIG. 2 of Smith et al. the filter element (12) is made up of coarse meshed outside wall (64) which

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is alleged to correspond to the present "fall-off preventing element" and fine meshed inside wall (66) which is alleged to correspond to the present "target trapping element". Numeric indicator (68) indicates a hollow core and numeric indicator (74) indicates a partially filtered fluid compartment. The partially filtered fluid compartment does not contain any filtering medium. That is, there is space between outside wall (64) and inside wall (66).

In the invention of present Claim 10, the fall-off preventing element is provided on the side surface of the inflow path of the target trapping element, as defined in lines 10 and 11 of Claim 10. This is in contrast to the arrangement found in Smith et al., in which a space is found between the alleged target trapping element and the alleged fall-off preventing element and thus the fall-off preventing element is not on the side surface of the inflow path of the target trapping element.

It is respectfully submitted that the presently claimed invention is distinct from the filter of Smith et al. for the reasons discussed above.

In view of the above remarks, removal of the rejection is respectfully requested.

CLAIM REJECTIONS UNDER 35 U.S.C. §103:

Claims 7, 9 and 12 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Stutzman in view of Budzich (U.S. Patent No. 4,687,572). Reconsideration and removal of this rejection are respectfully requested.

In view of Claims 7, 9 and 12 depending from Claims 1 and 8, which are discussed above, removal of the rejection is respectfully requested.

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In view of the above amendments and remarks, it is believed that Claims 1-12 are now in condition for allowance, which action, at an early date, is requested.

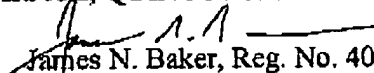
In view of the above amendments and remarks, it is believed that Claims 1-12 are now in condition for allowance, which action, at an early date, is requested.

If, for any reason, it is felt that this application is not now in condition for allowance, the Examiner is requested to contact the applicants undersigned attorney at the telephone number indicated below to arrange for an interview to expedite the disposition of this case.

In the event that this paper is not timely filed, the applicants respectfully petition for an appropriate extension of time. Please charge any fees for such an extension of time and any other fees which may be due with respect to this paper, to Deposit Account No. 01-2340.

Respectfully submitted,

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